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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,638	07/21/2003	Warren Gregory Tobin	USA-P1292	4576

7590 03/28/2006

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EXAMINER
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GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/622,638

**Applicant(s)**

TOBIN, WARREN GREGORY

**Examiner**

Gerald Gauthier

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. **Claim(s) 1** is objected to because of the following informalities: line 5 "the target addresses" misleading not sure which addresses the applicant is referring to.

Correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claim(s) 1-9** are rejected under 35 U.S.C. 102(e) as being anticipated by Leijonhufvud (US 2004/0076282 A1).

Regarding **claim(s) 1**, Leijonhufvud discloses a method of effecting communications (paragraph 0019), comprising the steps of:

a) taking text message calls at a text centre means wherein such calls are made by way of telephones (paragraph 0019);

b) determining the target addresses of the calls from information contained in the calls, the identity of the target addresses in each case being recorded in the text centre means against a telephone call centre or telephone call centers (paragraph 0019),

c) sending the text message calls to the call centre or call centers corresponding to the respective target addresses (paragraph 0019),

d) receiving the text message calls at the call centre or call centers as appropriate (paragraph 0018),

e) for each call centre processing each of the text message calls received there such that a future return call time is assigned to each of the text message calls (paragraph 0020), for each text message call automatically forward a return text message call containing details as to when a return telephonic voice call will be made from the call centre to the holder of the telephone (paragraph 0022) and

f) in substantially each case the call centre concerned making the respective return telephonic voice call at the time indicated (paragraph 0020).

Regarding **claim(s) 2**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means (paragraph 0022).

Regarding **claim(s) 3**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the

telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones (FIG. 1 and paragraph 0019).

Regarding **claim(s) 4**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones, and wherein when the text messages are received at the text centre means such messages are routed to a server of the text centre means, which then directs the text messages to the call centre or centers as at step "c" (paragraph 0036).

Regarding **claim(s) 5**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones, and wherein when the text messages calls are received at the text centre means such messages are routed to a server of the text centre means, which then directs the text messages calls to the call centre or centers as at step "c" and wherein the text centre in each case generates a call list listing the telephone numbers of the telephones, the call list being used by a worker at the call centre concerned in making the return telephonic voice call as at step "f" (paragraphs 0025 and 0026).

Regarding **claim(s) 6**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones, and wherein when the text messages calls are received at the text centre means such messages are routed to a server of the text centre means, which then directs the text messages calls to the call centre or centers as at step "c" and wherein the text centre in each case generates a call list listing the telephone numbers of the telephones, the call list being used by a worker at the call centre concerned in making the return telephonic voice call as at step "f", and wherein the call list is at least in part generated from information gained by way of automatic caller id technology (paragraph 0028).

Regarding **claim(s) 7**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones, and wherein when the text messages calls are received at the text centre means such messages are routed to a server of the text centre means, which then directs the text messages calls to the call centre or centers as at step "c" and wherein the text centre in each case generates a call list listing the telephone numbers of the telephones, the call list being used by a worker at the call centre concerned in making the return telephonic voice call as at step "f", and wherein the call list is at least in part generated from information gained by way of automatic

caller id technology, and wherein the text centre means queues the text message calls made by way of the telephones (paragraph 0025).

Regarding **claim(s) 8**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones, and wherein when the text messages calls are received at the text centre means such messages are routed to a server of the text centre means, which then directs the text messages calls to the call centre or centers as at step "c" and wherein the text centre in each case generates a call list listing the telephone numbers of the telephones, the call list being used by a worker at the call centre concerned in making the return telephonic voice call as at step "f", and wherein the call list is at least in part generated from information gained by way of automatic caller id technology, and wherein the text centre means queues the text message calls made by way of the telephones, and wherein at step c) the text message calls are sent to the call centre or call centers in a queued form (paragraph 0025).

Regarding **claim(s) 9**, Leijonhufvud discloses a method of effecting communications, wherein at step e) the return text message calls are sent to the telephones from the call centre(s) by way of the text centre means, and wherein the telephones are mobile phones, and wherein when the text messages calls are received at the text centre means such messages are routed to a server of the text centre

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means, which then directs the text messages to the call centre or centers as at step "c" and wherein the text centre in each case generates a call list listing the telephone numbers of the telephones, the call list being used by a worker at the call centre concerned in making the return telephonic voice call as at step "f ", and wherein the call list is at least in part generated from information gained by way of automatic caller id technology, and wherein the text centre means queues the text message calls made by way of the telephones, and wherein the call centre or call centers can inspect details of the queue at the text centre means online (paragraph 0026).

### ***Response to Arguments***

4. Applicant's arguments with respect to **claim(s) 1-9** have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

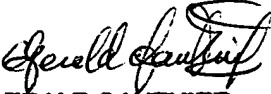
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**GERALD GAUTHIER**  
**PATENT EXAMINER**

Gerald Gauthier  
Examiner  
Art Unit 2645

g.g.  
March 20, 2006